

Michael C. Dunbar  
531 Commercial Street, Ste 500  
Waterloo, IA 50701  
Phone : (319) 233-6327  
mcdunbar@cfu.net

Hearing Date: June 12, 2013 at 10:00am  
Response Deadline: June 5, 2013 at 4:00 pm

Attorney for City of Evansdale

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

CASE NO. 12-12019 and  
12-12020-mg Chapter 11

IN RE:

Residential Funding Company LLC

JOINTLY ADMINISTERED

Debtor.

**NOTICE OF HEARING ON MOTION OF CITY OF EVANSDALE  
FOR ENTRY OF AN ORDER MODIFYING THE AUTOMATIC  
STAY TO ALLOW CONDEMNATION OF REAL PROPERTY**

PLEASE TAKE NOTICE that on *June 12, 2013 at 10:00 a.m.*, or soon thereafter as counsel can be heard, a hearing (the "Hearing") will be held before the Honorable Martin Glenn, United States Bankruptcy Judge, at the United States Bankruptcy Court, Southern District of New York, One Bowling Green, New York, New York, 10004, Courtroom 501, on the attached Motion of City of Evansdale for Entry of an Order Modifying the Automatic Stay to Permit Condemnation of Real Property.

PLEASE TAKE FURTHER NOTICE that objections or responses, if any, to the Motion ("Objection") (a) must be in writing, (b) must conform to the requirements of the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure, the Local Rules of the Bankruptcy Court for the Southern District of New York and the Court's *Order Under Bankruptcy Code Sections 102(1), 105(A) And 105(D), Bankruptcy Rules 1015(C), 2002(M) and 9007 and Local Bankruptcy Rule 2002-2 Establishing Certain Notice, Case Management and Administrative Procedures* dated May 23, 2012 (the "Case Management Order") (ECF Dkt. #141], and (c) must be filed and served so as to be received no later than 4:00 p.m. (Eastern) on June 5, 2013 (the "Objection Deadline").

PLEASE TAKE FURTHER NOTICE that pursuant to General Order M-399, as applicable, any Objection filed by parties with legal representation shall be filed on or

before the Objection Deadline (i) through the Bankruptcy Court's Electronic Case Filing System

("ECF") which may be accessed at the Bankruptcy Court's Internet web site at [www.nysb.uscourts.gov](http://www.nysb.uscourts.gov), and (ii) in portable document format ("PDF") using Adobe Exchange software for conversion. Any party that is either without legal representation or that is unable to file documents electronically shall file its Objection on or before the Objection Deadline in PDF format on a 3-1/2" floppy diskette or CD ROM in an envelope clearly marked with the case name, case number, type and title of document, document number of the document to which the objection refers and the file name of the document.

PLEASE TAKE FURTHER NOTICE that two (2) courtesy copies of any Objection must be delivered to the Chambers of the Honorable Martin Glenn, United States Bankruptcy Judge, at the United States Bankruptcy Court, Southern District of New York, One Bowling Green, New York, New York, 10004, and served upon

- (a) counsel for City of Evansdale, Michael C. Dunbar, 531 Commercial Street, Waterloo, Iowa 50701 or by email at [mdunbar@cfu.net](mailto:mdunbar@cfu.net).
- (b) the Debtors, Residential Capital, LLC, 1177 Avenue of the Americas, New York, NY 10036, Attn: Tammy Hamzehpour, email: [Tammy.Hamzehpour@gmacrescap.com](mailto:Tammy.Hamzehpour@gmacrescap.com),
- (c) the Debtors' counsel, Morrison & Foerster LLP, 1290 Avenue of the Americas, New York, NY 10104, Attn: Larren Nashelskly, Esq., Gary S. Lee, Esq. and Lorenzo Marinuzzi, Esq., emails: [LNashelskly@mofo.com](mailto:LNashelskly@mofo.com), [Glee@mofo.com](mailto:Glee@mofo.com) and [LMarinuzzi@mofo.com](mailto:LMarinuzzi@mofo.com),
- (d) Counsel to the Creditors' Committee, Kramer Levin Naftalis & Frankel LLP, 1177 Avenue of the Americas, New York, NY 10036, Attn: Ken Eckstein and Doug Mannal, emails: [keckstein@kramerlevin.com](mailto:keckstein@kramerlevin.com) and [dmannal@kramerlevin.com](mailto:dmannal@kramerlevin.com),
- (e) the Office of the United States Trustee for the Southern District of New York, Office of the United States Trustee, 33 Whitehall Street, 21st Floor, New York, NY 10004, Attn: Tracy Hope Davis, Esq., Brian Masumoto, Esq. and Linda Riffkin, Esq., emails: [Tracy.Davis2@usdoj.gov](mailto:Tracy.Davis2@usdoj.gov), [Brian.Masumoto@usdoj.gov](mailto:Brian.Masumoto@usdoj.gov) and [Linda.Riffkin@usdoj.gov](mailto:Linda.Riffkin@usdoj.gov),
- (f) the Office of the United States Attorney General, U.S. Department of Justice, 950 Pennsylvania Avenue NW, Washington, DC 20530-0001, Attn: US Attorney General, Eric H. Holder, Jr., email: [AskDOJ@usdoj.com](mailto:AskDOJ@usdoj.com),
- (g) the Office of the New York Attorney General, The Capitol, Albany, NY 12224-0341, Attn: Nancy Lord, Esq. and Neal Mann, Esq., email: [Nancy.Lord@OAG.State.NY.US](mailto:Nancy.Lord@OAG.State.NY.US) and [Neal.Mann@OAG.State.NY.US](mailto:Neal.Mann@OAG.State.NY.US),
- (h) the Office of the United States Attorney for the Southern District of New York, One St. Andrews Plaza, New York, NY 10007, Attn: Joseph N. Cordaro, Esq.,

(i) each of the Debtors' prepetition lenders,

- a. Citibank N.A., 390 Greenwich Street, 6th Floor, New York, NY 10013, Attn: Bobbie Theivakurnaran, email: [bobbie.theivakurnaran@citi.com](mailto:bobbie.theivakurnaran@citi.com), and
- b. Fannie Mae, 3900 Wisconsin Avenue NW, Mail Stop 8H-504, Washington DC 20016, Attn: Vice President, Credit Management, John S. Forlines, email: [john\\_s\\_forlines@fanniemae.com](mailto:john_s_forlines@fanniemae.com),

(j) each of the indenture trustees for the Debtors' outstanding notes issuances,

- a. Deutsche Bank Trust Company Americas, 25 DeForest Avenue, Summit, NJ 07901, Attn: Kevin Vargas, email: [kevin.vargas@db.com](mailto:kevin.vargas@db.com),
- b. The Bank of New York Mellon, Asset Backed Securities Group, 101 Barclay Street 4W, New York, NY 10286,
- c. U.S. Bank National Association, 50 South 16th Street, Suite 2000, Philadelphia, PA 19102, Attn: George Rayzis, email: [george.rayzis@usbank.com](mailto:george.rayzis@usbank.com),
- d. U.S. Bank National Association, 60 Livingston Avenue, EP-MN-WS1D, St. Paul, MN 55107, Attn: Irina Palchuk, email: [irinia.palchuk@usbank.com](mailto:irinia.palchuk@usbank.com),
- e. Counsel to U.S. Bank National Association, Kelley Drye & Warren LLP, 101 Park Avenue, New York, NY 10178, Attn: James S. Carr, Esq. and Eric R. Wilson, Esq., email: [kdwbankruptcydepartment@kelleydrye.com](mailto:kdwbankruptcydepartment@kelleydrye.com), and
- f. Wells Fargo Bank, N.A., P.O. Box 98, Columbia, MD 21046, Attn: Corporate Trust Services, GMACM Home Equity Notes 2004 Viable Funding Trust,

(k) counsel to Ally Financial Inc., Kirkland & Ellis, 601 Lexington Avenue, New York, NY 10022, Attn: Ray C. Schrock, Esq. and Richard M. Cieri, Esq., emails: [richard.cieri@kirkland.com](mailto:richard.cieri@kirkland.com), [stephen.hessler@kirkland.com](mailto:stephen.hessler@kirkland.com), [projectrodeo@kirkland.com](mailto:projectrodeo@kirkland.com), [william.b.solomon@ally.com](mailto:william.b.solomon@ally.com), [timothy.devine@ally.com](mailto:timothy.devine@ally.com),

(l) counsel to the administrative agent for the Debtors' providers of debtor in possession financing, Skadden Arps Slate Meagher & Flom LLP, Four Times Square, New York, NY 10036, Attn: Jonathan H. Hofer, Esq. and Ken Ziman, Esq., emails: [jhofer@skadden.com](mailto:jhofer@skadden.com) and [kziman@skadden.com](mailto:kziman@skadden.com),

(m) Nationstar Mortgage LLC and its counsel, Nationstar Mortgage LLC, 350 Highland Drive, Lewisville, TX 75067, Attn: General Counsel, and Sidley Austin LLP, One Dearborn, Chicago, IL 60603, Attn: Larry J. Nyhan, Esq. and Jessica CK Boelter, Esq., emails: [lnyhan@sidley.com](mailto:lnyhan@sidley.com), [jboelter@sidley.com](mailto:jboelter@sidley.com) and [bmyrick@sidley.com](mailto:bmyrick@sidley.com),

(n) the Internal Revenue Service, P.O. Box 7346, Philadelphia, PA 19101-734 (Overnight mail should be directed to: Internal Revenue Service, 2970 Market Street, Mail Stop 5-Q30.133, Philadelphia, PA 19104-5016),

(o) the Securities and Exchange Commission, New York Regional Office, 3 World Financial Center, Suite 400, New York, NY 10281-1022, Attn: George S. Canellos, Regional Director, email: [newyork@sec.gov](mailto:newyork@sec.gov),

(p) each entity that has an ownership interest in or a lien or encumbrance on any of the Mortgages,

- a. JPMorgan Chase Bank, National Association, 383 Madison Avenue, 8<sup>th</sup> Floor, New York, NY 10179, Attn: Jonathan Davis, email: [jonathan.p.davis@jpmorgan.com](mailto:jonathan.p.davis@jpmorgan.com),
- b. JPMorgan Chase Bank, National Association, 1111 Fannin, 12<sup>th</sup> Floor, Houston, TX 77002, Mailcode: TXF200, Attn: Mortgage Finance, email: [MF\\_Team@JPMChase.com](mailto:MF_Team@JPMChase.com),
- c. Morgan Stanley Bank, N.A., 1585 Broadway, New York, NY 10036, Attn: SPG Mortgage Finance,
- d. Morgan Stanley Mortgage Capital Holdings LLC, 1585 Broadway, New York NY 10036, Attn: SPG Mortgage Finance,
- e. Wells Fargo Bank, N.A., c/o Wells Fargo Securities Mortgage Banker Finance Group, 2500 Northwinds Parkway, Suite 200, Alpharetta, Georgia 30009, Attn; Ken Logan,
- f. Wells Fargo Bank, N.A., 375 Park Avenue, New York, NY 10152, Attn: Mary H. Curtis,
- g. Bank of America, N.A., One Bryant Park, 11<sup>th</sup> Floor, NY-1-100-11-01, New York, NY 10036, Attn: Eileen Albus, Vice President - Mortgage Finance, email: [Eileen.Albus@baml.com](mailto:Eileen.Albus@baml.com),
- h. Wells Fargo Bank, National Association, 1015 10<sup>th</sup> Avenue SE, Minneapolis, Minnesota 55414, Attn: Client Manager-Shellpoint/BofA, and
- i. Bank of America, N.A., One Bryant Park - 11<sup>th</sup> Floor, NY 1-100-11-01, New York, NY 10036, Attn: Eileen Albus, Jing Liu, Charu Mani, and Arvindh Rao, emails: [Albus@baml.com](mailto:Albus@baml.com), [Jing.Liu@baml.com](mailto:Jing.Liu@baml.com), [Charu.Mani@baml.com](mailto:Charu.Mani@baml.com), and [Arvindh.Rao@baml.com](mailto:Arvindh.Rao@baml.com),

(q) those parties who filed a request for notice in the Debtors' cases.

**PLEASE TAKE FURTHER NOTICE** that the relief requested in the Motion may be granted without a Hearing if no Objection is timely filed and served in accordance with Case Management Order.

Dated: Waterloo, Iowa  
May 14, 2013

City of Evansdale

By: /s/ Michael C. Dunbar  
Michael C. Dunbar  
Attorney for the City of Evansdale  
531 Commercial Street, Ste 500  
Waterloo, IA 50701  
Telephone: 319-233-6327  
Fax: 319-233-0346  
[mcdunbar@cfu.net](mailto:mcdunbar@cfu.net)

## File a Notice:

[12-12019-mg Residential Funding Company, LLC](#)

### U.S. Bankruptcy Court

### Southern District of New York

#### Notice of Electronic Filing

The following transaction was received from Michael C. Dunbar entered on 5/14/2013 at 4:32 PM and filed on 5/14/2013

**Case Name:** Residential Funding Company, LLC

**Case Number:** [12-12019-mg](#)

**Document Number:** [12](#)

#### Docket Text:

Notice of Hearing *Motion for Relief by City of Evansdale* (related document(s)[11]) filed by Michael C. Dunbar on behalf of Michael C. Dunbar. with hearing to be held on 6/12/2013 at 10:00 AM at Courtroom 501 (MG) Objections due by 6/5/2013, (Dunbar, Michael)

The following document(s) are associated with this transaction:

**Document description:**Main Document

**Original filename:**Notice of Motion for Relief.pdf

**Electronic document Stamp:**

[STAMP NYSBStamp\_ID=842906028 [Date=5/14/2013] [FileNumber=12599150-0]  
[ad8044011ad166f5f086afe86094bb616624e53ee40167c6d57518bcc2bfdb0ecf6  
4cc9e088402e074a83b4ca234112a7204bf056f02b55fd91557a6e1ac23f]]

#### 12-12019-mg Notice will be electronically mailed to:

Rebecca E Boon on behalf of Plaintiff Bayerische Landesbank  
rebecca.boon@blbglaw.com

Michael C. Dunbar on behalf of Unknown Michael C. Dunbar  
mdunbar@cfu.net, mcdunbar@cfu.net

Stefan W. Engelhardt on behalf of Defendant Residential Funding Company, LLC  
docketny@mofo.com

Christopher L. Hawkins on behalf of Defendant Judy Faber, Vice President U.S. Bank National Association  
chawkins@bradleyarant.com

Jason Craig Hegt, on behalf of Defendant Ace Securities Corp.  
jason.hegt@lw.com, rachel.feld@lw.com;jessica.bengels@lw.com;jason.grossman@lw.com

Lorenzo Marinuzzi on behalf of Debtor Residential Funding Company, LLC  
lmarinuzzi@mofo.com

Lauren A McMillen on behalf of Plaintiff Bayerische Landesbank  
lauren@blbglaw.com, Katherine.Stefanou@blbglaw.com

Richard Owens on behalf of Defendant Ace Securities Corp.  
richard.owens@lw.com, jessica.bengels@lw.com; rachel.feld@lw.com

Norman Scott Rosenbaum on behalf of Defendant Residential Funding Company, LLC  
nrosenbaum@mofo.com

David L Wales on behalf of Plaintiff Bayerische Landesbank  
dwales@blbglaw.com, errol.hall@blbglaw.com

James P. Watkins on behalf of Defendant Judy Faber, Vice President U.S. Bank National Association  
jwatkins@babco.com

Jamie Lynne Wine, on behalf of Defendant Ace Securities Corp.  
jamie.wine@lw.com, jessica.bengels@lw.com; rachel.feld@lw.com

**12-12019-mg Notice will not be electronically mailed to:**

CRA International Inc.

,

Larren M. Nashelsky on behalf of Debtor Residential Funding Company, LLC  
Morrison & Foerster LLP  
1290 Avenue of the Americas  
New York, NY 10104

Fedelina Roybal-Deaguero 2008 Trust  
42265 Little Lake Road  
Medocino, CA 94560

United States Trustee  
33 Whitehall Street  
21st Floor  
New York, NY 10004